

# Stationary Source Air Quality Rulemaking:

## *Updated Process Outline*

CAIR, RACT and BART

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# Major Stakeholder Comments – March/April Public Information Sessions

- Separate ozone attainment decisions from the development of CAIR, RACT & BART Rules
- Wisconsin should adopt a CAIR Program and submit it as a SIP as expeditiously as possible
- WI-DNR has discretion to determine that NO<sub>x</sub> RACT and BART for power plants would be satisfied by compliance with CAIR Program



# CAIR Program Direction

1. The Department will separate the CAIR Rule package from the RACT/BART and CAMR rules but expects to finalize all three early in 2007. DNR plans to structure the program to be able to use EPA's abbreviated SIP submittal process as necessary to meet deadlines.
2. The Department will not presume at this point that ozone attainment must or will be reached through CAIR program implementation.
3. The Department is not able to determine at this time whether or not the CAIR rule will satisfy NOx RACT and BART for power plants.



# CAIR Program Direction

- The Department intends to use the CAIR "abbreviated SIP" option
  - deadline March 31, 2007
  - FIP controls SO<sub>2</sub> trading program and most aspects of NO<sub>x</sub> trading programs except allocation of NO<sub>x</sub> allowances
  - State determines NO<sub>x</sub> allocation structure

# CAIR Program Development

- CAA-TF Meeting #1 – Today
  - Discussion of Comments, Initial Responses and Updated Program Concept
- CAA-TF Meeting #2 – July
  - Discussion of details for a draft CAIR Program that will be proposed as part of the August NRB meeting
- Target for Public Hearing – October 2006
- Target for Adoption – January 2007
- Target for Legislative Review – February 2007
- Target for Abbreviated SIP Submittal – March 31, 2007
- Target for NOx Allocations Submittal – April 30, 2007



# RACT & BART Programs Direction

- Continue focus on Stationary Source NO<sub>x</sub> RACT
- Continue development of BART
- Maintain current approach to include power plants as part of the draft program structure
- Evaluate and discuss the potential emissions reduction impact and the resultant AQ impact of RACT & BART
- Draft rules for introduction in September
- Separate NO<sub>x</sub> RACT determination from attainment plan control level need (RACM)
- Determine the need for RACT & BART for power plants related to ozone attainment and visibility by the time of concurrent final rule packages adoption (January 2007)

# Consolidated Rule Schedule

- Propose Draft Rules for Hearing:
  - CAIR – August NRB
  - RACT & BART – September NRB
- NRB Adoption Target:
  - All three rules – January 2007
- Legislative Review Target:
  - CAIR & RACT SIPs - February 2007
- CAIR SIP to EPA – March 31, 2007
- RACT SIP to EPA – April 2007
- BART Determinations & SIP to EPA ~ Jan-Apr 2008